

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

IN RE:	§	CASE NO. 22-30500-swe7
DENNIS JAMES ROGERS II,	§	
Debtor.	§	CHAPTER 7

AREYA HOLDER AURZADA,	§	
CHAPTER 7 TRUSTEE FOR THE	§	
BANKRUPTCY ESTATE OF	§	
DENNIS JAMES ROGERS II	§	
Plaintiff,	§	
	§	
v.	§	Adversary No. 24-03028
	§	
FUNDERZ.NET, LLC,	§	
Defendant.	§	

**PLAINTIFF AREYA HOLDER AURZADA, CHAPTER 7 TRUSTEE FOR THE
BANKRUPTCY ESTATE OF DENNIS JAMES ROGERS II'S
FIRST AMENDED MOTION TO COMPEL**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Plaintiff Areya Holder Aurzada, Chapter 7 Trustee for the Bankruptcy Estate of Dennis James Rogers II ("Plaintiff"), pursuant to Federal Rules of Civil Procedure 37 as applicable to this adversary proceeding, hereby files this First Amended Motion to Compel upon Defendant Funderz.net, LLC ("Funderz") and would show the Court as follows:

Plaintiff served its First Request for Production of Documents upon Defendant Funderz.net, LLC on July 1, 2025. A true and correct copy of the First Request for Production of Documents along with the cover letter to counsel for Funderz is attached as **Exhibit A**.

Funderz did not respond or object and the time for any response or objection has passed.

Counsel for Plaintiff has communicated with counsel for Funderz regarding the Request for Production as well as requests for deposition dates.

Given that counsel for Funderz provided no deposition dates, counsel for Plaintiff sent deposition notices to counsel for Funderz along with a letter offering to continue to work toward agreed dates for deposition. That letter and the deposition notices, as amended, are attached as **Exhibit B**. Counsel for Funderz did not reply to the letter, did not move to quash the depositions, and did not make objections to the corporate representative topics. Funderz did not appear for depositions as scheduled and did not provide witnesses for deposition. Counsel for Plaintiff took certificates of nonappearance for the Funderz corporate representative and Joseph Isaacoff. Counsel for Plaintiff took the deposition of Dennis Rogers.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that this court enter an Order that (1) objections to the Request for Production, if any, have been waived, (2) Funderz shall produce all responsive documents, electronically and in native format when applicable, to the office of the undersigned counsel, without objection, within seven (7) days of the entry of an Order, (3) within two days of any Order granting this Amended Motion, Funderz provide at least 3 dates for the deposition of its corporate representative and Joseph Isaacoff to be taken on or before September 30, 2025 (4) any objections to the topics previously provided for the deposition of the corporate representative have been waived and (5) Plaintiff be awarded reasonable attorney fees and expenses for bringing this Amended Motion, and for such other and further relief to which Plaintiff may be entitled.

Dated: September 8, 2025

Respectfully submitted,

By: /s/ David B. Miller

David B. Miller

Texas Bar No. 00788057

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Special Counsel for the Trustee

CERTIFICATE OF CONFERENCE

I spoke to Turner Falk, counsel for Funderz, on at least two occasions regarding the original Motion to Compel. Mr. Falk stated that his firm may be withdrawing from representation. I emailed Mr. Falk asking whether he could agree to the Original Motion to Compel and also the Amended Motion to Compel and he has not responded as of this date. I presume that this Motion is opposed.

/s/ David B. Miller

David B. Miller

CERTIFICATE OF SERVICE

I certify that on September 8, 2025, I caused a copy of the foregoing document to be served via electronic mail to the counsel listed below:

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/s/ David B. Miller

David B. Miller